

November 6, 2008

Mayor Will Wynn  
P O Box 1088  
Austin, Texas 78767-8865

94  
Late Back-up

Regarding Oak Hill Combined Neighborhood Plan  
Becket Estates – McCarty Lane Neighborhood  
Contested FLUM Tracts AE  
Case #C14-2008-0129

Your Honorable Mayor Wynn and Council Members,

Our property, "our home" of 17 years is located on the South side of Reynolds Road, however, this 5711 Reynolds Road address does not front William Cannon We, Michael and Joan Foster, strongly oppose the rezoning of listed properties by Agent Ron Thrower in behalf of Judy Grimes, Jewel Simmons, Lloyd Burt, John Rocha and Valerie Brinkman

- Basic zoning change request is by four property owners Their stance is noise and traffic along William restricts their quality of life The truth is
  - **William and Judy Grimes** own the bulk of the property involved with the rezoning request with four properties They bought the additional parcels of land within the last 10 years for investment purposes They have lived in their home fourteen years Close to retirement, they have personally told me that their intent is the investment to sell commercial and in turn retire in East Texas They have no interest in the neighborhood as a whole
  - The misleading zoning application by the city lists **John Rocha** and **Valerie Brinkman** as if they are two separate land owners/properties Indeed, they own one property, 5601 Reynolds Road Ms Brinkman's intent is to keep her home in addition to building a private massage therapy business on her tract Beckett Estates Covenants have been strictly single family rural residential, not allowing business activity in the neighborhood I don't feel that a single massage therapist is going have the ability to build up to a 15,000 square building with retention ponds This does not have any business sense other than sell for a profit
  - **Lloyd Burt** owns a tract along William Cannon Lloyd and Sue Burt moved from this William Cannon tract last year to the adjoining lot on the corner of Ridge Oak and Reynolds Road where they just finished remodeling the late Davis home They are elderly and want to sell the property for a large profit
  - **Jewel Simmons** is elderly, in poor health and wishes to sell



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- There are nice neighborhoods in the immediate area that are directly on William Cannon and Escarpment encountering traffic Grimes, Burt, Rocha/Brinkman, and Simmons have not done much restoration on their existing homes, nor develop the vacant tracts because they do not intend to live there permanently
- It is ludicrous to desegregate lots on one city block with the two extremes, the single family rural residential and commercial
- The backyard of my home at 5711 backs up to the Burt property on William Cannon The depth of our property is between 255 and 290 feet The Burt property behind is almost exactly the same depth *See plot map* This is NOT wide enough to support a three story building (up to 15,000 square feet) with parking and retention ponds The mixed use proposal intent allows for commercial three story building with condos on top This is an invasion of privacy, security and noise to our home There is no sufficient buffer possible for us to maintain our property value, let alone the neighbors across the street on the North side of Reynolds Road
- Mrs Grimes proclaims that Beckett Estates is not attractive to a residential developer building new homes in our neighborhood Too the contrary, Patrick Miller, 5718 Reynolds Road and Bill and Ruth Brophy, 5712 Reynolds have built beautiful new high dollar homes within the last three years Many homeowners, such as my own, have remodeled and updated their home, as we enjoy the rural, relaxed neighborhood and existing wildlife that holds on dearly The owner, from Corpus Christi, of the property on the North corner of Ridge Oak and Reynolds Road has plans to build a new home
- Restrictive Covenants that are written into zoning are not typically respected in commercial development and would be a direct threat to the neighborhood of Beckett Estates For example
  - The Children's Courtyard is a mixed-use commercial property recently built on the corner of William Cannon and Ridge Oak Road
    - 1 Disregarded agreements established in 1986
    - 2 Failed to maintain a 25 foot naturally vegetative set-back
    - 3 Failed to include cul-de-sac at termination of Ridge Oak Road and William Cannon
    - 4 The Children's Courtyard has recently been parking up to 6 buses on our residential street of Ridge Oak
  - September 6, 2008 homeowners in Beckett Estates (including Mrs Grimes) met with the development project on the West side of Ridge Oak Road The developer of the proposed professional office park agreed to maintain a natural 25 foot vegetation buffer and replant areas to provide screening and preserve the character of our neighborhood The woods were

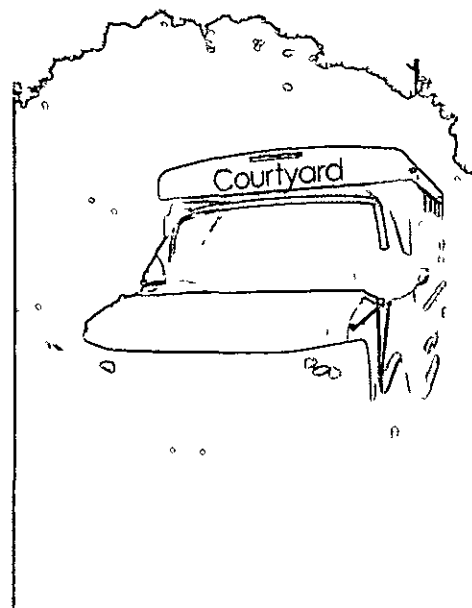
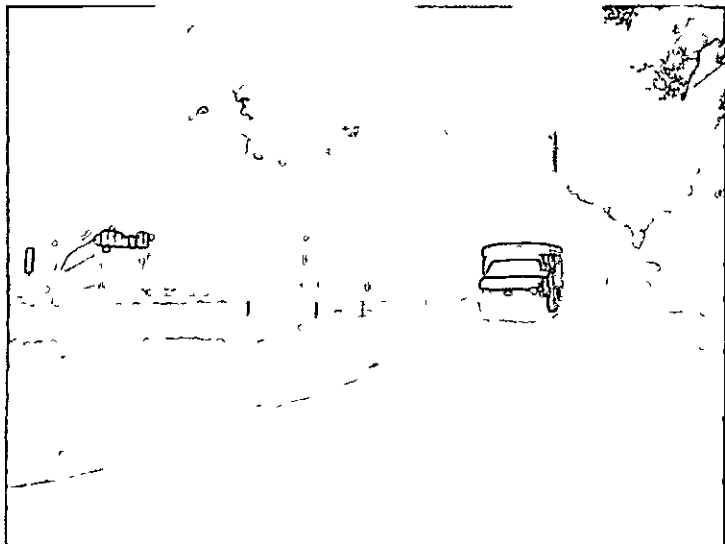
clear cut and massive retention ponds were begun. The developer ran into financial difficulties and for two years has left Beckett Estates with unfinished retention ponds and total destruction. With the current economy, this destructive eyesore and environmental travesty may remain for another ten years before someone takes it over. Our entire neighborhood suffers this loss. *See photographs*

- With no developer or approved plans, there is no limit to how many Restrictive Covenants or Overlays attached to zoning that can be changed or broken in years to come
- As an active member of the Oak Hill Business and Professional Association, I am aware that with this growing community in Southwest Austin, there is adequate commercial property and space available in the Future Land Use. Currently there are vacancies in office parks and strip centers in Oak Hill as the small business owner struggles to meet high rents on retail space. Especially with the Westpark PUD proposals, there is new opportunity much greater than sacrificing our homes along William Cannon in Beckett Estates.

In summary, there is no viable reason to change a partial city block zoning from residential single family rural to mixed use for commercial purposes. The zoning change is detrimental to other home owners in the neighborhood. Our property at 5711 Reynolds is at the most risk since our property borders a shallow piece of property with commercial intent. As a business owner in Oak Hill, I understand the ramifications and complexities of running a professional business – Reynolds Road is not the place for this business. Please keep what little open space remains in the Southwest Austin community. It is refreshing to all to have a little country in the city. *Many were sad when the old farm and barn in Sunset Valley passed to become a shopping center. It was always welcoming to see the donkey grazing in front of his barn. This is Texas!*

Michael and Joan Foster

This is what commercial and mixed use zoning on Ridge Oak Road has done in our neighborhood To develop Reynolds Road as mixed use would destroy this neighborhood and quality of life for homeowners!

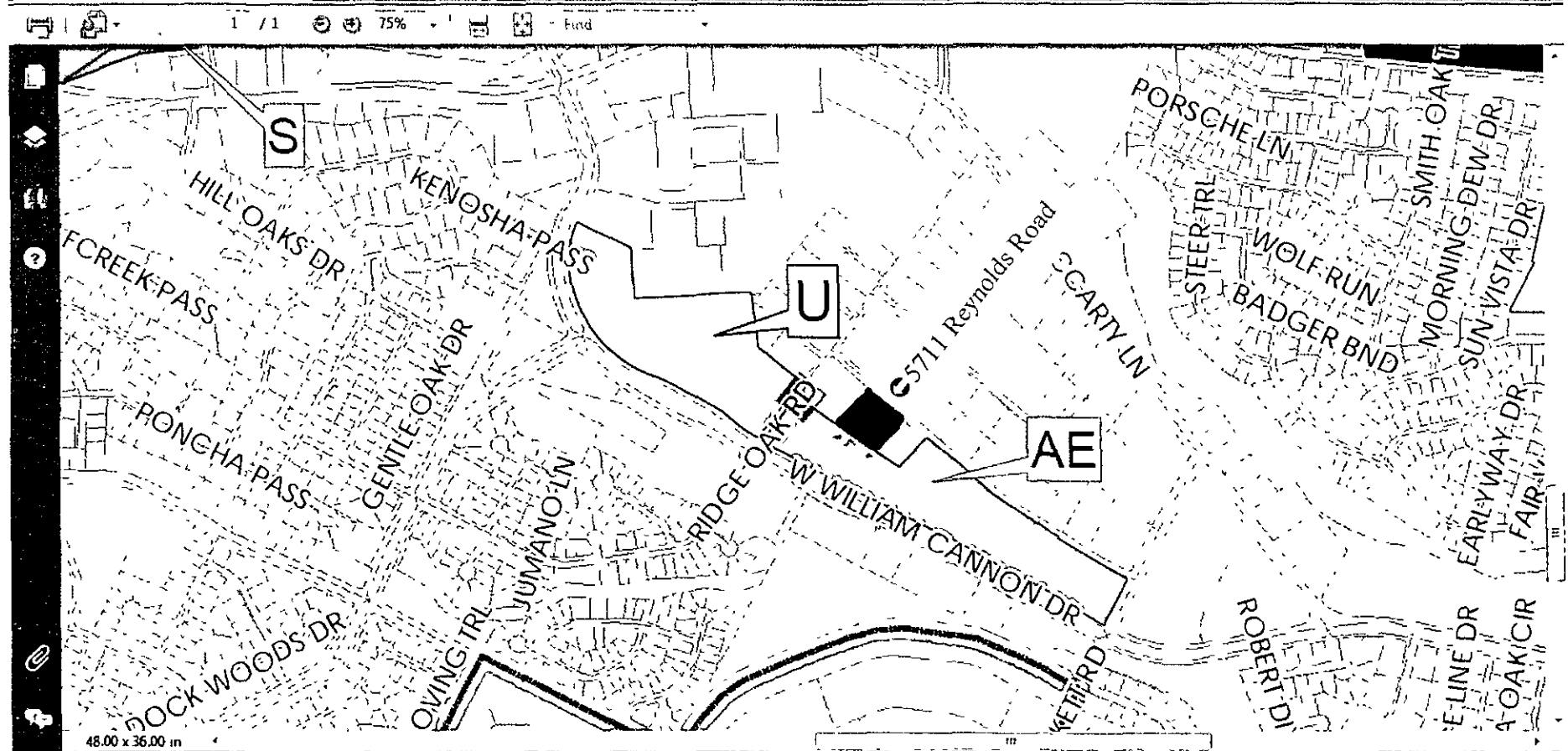


Children's Courtyard - no buffer, parks vehicles on residential city streets.



Before and after defunk commercial development along Ridge Oak Road, Beckett Estates







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